



SUGHRUE MION, PLLC

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June 21, 2002

BOX CPA

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Re: Application of **Peter R. REEVES** and  
**Lei WANG** entitled "NUCLEIC ACID  
MOLECULES SPECIFIC FOR BACTERIAL  
ANTIGENS AND USES THEREOF"  
Our Ref: Q-70656

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of pending prior Application No. **09/423,093**, filed on **November 1, 1999**, of **Peter R. REEVES** and **Lei WANG** entitled "NUCLEIC ACID MOLECULES SPECIFIC FOR BACTERIAL ANTIGENS AND USES THEREOF"; which in turn is a 371 of PCT/AU98/00315, filed May 1, 1998.

This application is being filed under 37 C.F.R. § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 1655.

An executed Revocation and Appointment of Attorneys is attached hereto. A Preliminary Amendment is being filed simultaneously herewith.

A Petition for Five-month Extension of Time, along with the required fee, is also being filed concurrently herewith in Application No. 09/423,093.

06/26/2002 MBERNE 00000078 09423093

02 FC:231	370.00 OP
03 FC:203	180.00 OP
04 FC:202	42.00 OP
05 FC:204	140.00 OP



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Applicants claim benefit of small entity status in accordance with 37 C.F.R. § 1.27 (an executed Small Entity Status Declaration was submitted in the Parent Application on November 1, 1999).

Priority is claimed from:

<u>Country</u>	<u>Application No</u>	<u>Filing Date</u>
AUSTRALIA	PO 6545	May 1, 1997
AUSTRALIA	PO 8152	July 22, 1997

The priority documents were filed in parent Application No. 09/423,093.

The Government filing fee is calculated as follows:

Total claims	<u>40</u> - 20 = <u>20</u> x	\$9.00 =	<u>\$180.00</u>
Independent			
claims	<u>4</u> - 3 = <u>1</u> x	\$42.00 =	<u>\$42.00</u>
Base Fee			<u>\$370.00</u>
Multiple Dependent Claim Fee			<u>\$140.00</u>

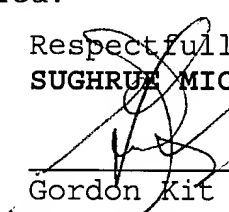
**TOTAL FILING FEE**

**\$732.00**

A check for the statutory fee, in the amount of \$732.00, is attached. The U.S. Patent Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

The application is timely filed.

Respectfully submitted,  
SUGHRUE MION, PLLC

  
Gordon Kit

Registration No. 30,764